



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

Los Angeles Region

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640
Internet Address: <http://www.swrcb.ca.gov/~rwqcb4>



Gray Davis
Governor

Los Angeles Regional Water Quality Control Board

Minutes of the June 30, 1999 Board Meeting

INTRODUCTION

1. The meeting was called to order by Chairman Nahai at 9:02 a.m.

Board Members Present

Jack Coe, Fran Diamond, Michael Keston, Marilyn Lyon, H. David Nahai

Board Members Absent

None

Staff Present

Dennis Dickerson, Jorge Leon, James Kuykendall, Debbie Smith, Dennis Dasker, Wendy Phillips, Jonathan Bishop, David Bacharowski, Raymond Jay, Jack Price

Others Present

Scott Pomrehn, City of Lakewood
Xmour Noubarentz, HR Textron
Eileen Ansari, City of Diamond Bar
Ron Wilkniss, Western States Petroleum
Assoc.
Bob Garnett, City of Los Angeles
Gary Lee Moore, City of Los Angeles
Eugene Bromley, U.S. EPA
Ray Holland, City of Long Beach
Steve Fleischli, Santa Monica BayKeeper
Art Cuse, BullShot Systems, Inc.
Paul Polizzotto, Property Prep Inc.
David Belasco, Wastewater Remediation
Tom Baldwin, City of Redondo Beach
Steve Huang, City of Redondo Beach
John York, City of Redondo Beach
Tom LeBrun, LA County Sanitation Districts

Royall Brown, Hacienda Heights
Improvement
Jeff Yann, HHIA
Thomas Stetson, Stetson Engineers
Mark Gold, Heal the Bay
Victor Hanna, City of Los Angeles
Ralph Leech, Upper SG Valley MWD
John Harris, Richards, Watson & Gersnow
Alex Helperin, NRDC
Ted Morton, American Oceans Campaign
Dan Hyde, Knapp Marsh
Terri Grant, LA County Dept. Public Works
Hazel Scotto, League of Women Voters
Anne Saffel, TECs
Daniel Max, McWhorter Tech

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Jacque Gamble, Las Virgenes MWD
Rick Cameron, Port of Long Beach
Christine Houston, Port of Long Beach
Marilyn Levin, Attorney General's Office
Lisa Boyle, Heal the Bay
Ray Tahir, TECs
Tom Leary, City of Long Beach
Mike Huls, City of Diamond Bar
Jacqueline Lambrichts, Friends of LA River
Neil Shapir, City of Santa Monica
Charles H. Parks, City of Long Beach

Pledge of Allegiance.

1. Roll Call.

A roll call was taken with all members present.

2. Order of Agenda.

The Executive Officer, Dennis Dickerson, recommended the following changes to the agenda:

- *Drop item 4 from the agenda since there are no new staff members to introduce at this time.*
- *Add an item 8b (EO status update on Y2K compliance issues) immediately following the Public Forum.*
- *Pull uncontested items 9.1, 9.5 and 10.2 from the consent calendar, and hear separately.*
- *Continue items 9.2, 9.3, 10.1, 12.1, 12.2 to allow time to resolve comments received.*
- *Drop item 13 from the agenda for the following reasons:*

- 13.1 Southgate Aluminum Foundry paid the penalty;*
- 13.2 Reichold Chemical waived their right to a hearing; and*
- 13.3 A & A Auto Dismantlers ACL matter was rescinded.*

MOTION: By Ms. Lyon, seconded by Ms. Diamond, and approved on a voice vote.

3. Approval of Regular Minutes of May 27, 1999.

A motion was made to adopt the minutes as submitted.

MOTION: By Ms. Diamond, seconded by Ms. Lyon, and approved on a voice vote.

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5. Regional Board Staff Recognition.

5.1 Sustained Superior Accomplishment Award.

Dennis Dickerson provided introductory remarks expressing his appreciation to the recipient, Gwendolyn Monroe, Administrative Division, for her commitment to relocating the Regional Board offices to downtown Los Angeles in March 1999. The Board presented her with the award thanking her for her continued commitment.

6. Board Member Ex Parte Communication Disclosure.

Chairman Nahai spoke of the meeting that took place between the Regional Board Members (2) and the City of Malibu council members (2) regarding general Malibu septic issues. Vice Chairman Keston indicated he received a phone call from Mayor Keller, City of Malibu regarding the meeting. He referred the call to Dennis Dickerson, the Executive Officer.

7. Uncontested Items Calendar.

Public comment cards were received for items 9.1, 9.5 and 10.2. These items were removed from the consent calendar and heard separately. There was a motion to adopt the consent calendar as items 9.4, 9.6, 9.11 – 10.3, 10.4.

MOTION: By Ms. Lyon, seconded by Ms. Diamond and approved on a voice vote.

PUBLIC FORUM

8. Public Forum.

The following persons submitted speaker cards and gave presentations to the Board:

- 1. Paul Polizzotto, Property Prep Inc. informed the Board of a method that allows zero discharge levels of cleaning facilities.*
- 2. Gary Lee Moore, City of Los Angeles, informed the Board of the events that took place during the June 16, 1999 Y2K test and the spill that occurred as a result.*
- 3. David Belasco, Wastewater Remediation, addressed the problem of wastewater from improper wet-cleaning devices used when cleaning parking structures. A control procedure was proposed, and he asked the Board for their support of this effort.*
- 4. Mark Gold, Heal the Bay, expressed his concern with the effluent limits set by the Board for permits. He asked the Board to modify the Basin Plan regarding permit writing and water quality standards. He also asked the Board to ask the SWRCB to develop the Inland Surface Waters Plan and Bays & Estuaries Plan.*



5. *Jacqueline Lambrichts, FOLAR, asked the Board to develop a procedure to track all Storm Water Pollution Prevention Plans (SWPPP) and asked that the Board require dischargers to include status reports on the plans with their annual monitoring reports.*

CONTESTED ITEMS

The Executive Assistant read the opening statement for contested items 9.1, 9.5 and 10.2, Chairman Nahai opened the public hearing and administered the oath to those testifying before the Board.

9.1 City of Redondo Beach (Seaside Lagoon), CA0064297

Dennis Dasker gave a staff presentation summarizing the comments received by Heal the Bay. He indicated that the permit has been modified based on the comments received, and asked the Board to adopt the proposed requirements as modified by the change sheet.

A motion was made to adopt the requirements as recommended by staff.

MOTION: By Ms. Diamond, seconded by Ms. Lyon, and approved on a voice vote.

9.5 EXXON Co., U.S.A., CA0058971

Dennis Dasker gave a staff presentation summarizing the comments received by the discharger. He indicated that the permit has been modified based on the comments received, and asked the Board to adopt the proposed requirements as modified by the change sheet.

A motion was made to adopt the requirements as recommended by staff.

MOTION: By Mr. Coe, seconded by Ms. Lyon, and approved on a voice vote.

10.2 County Sanitation Districts of Los Angeles County (Puente Hills Landfill Correction Action Program for Main Canyon, 57-220)

Blythe Ponek-Bacharowski gave a staff presentation providing a brief overview of the landfill and regulations that govern the Corrective Action Program. She asked the Board to adopt the requirements, and that the Corrective Action Program proposed by the discharger be implemented through the requirements.

Thomas LeBrun, Sanitation Districts of Los Angeles County, gave a presentation expressing his concerns that the standards set forth in the proposed requirements are too restrictive. He asked for the opportunity to come back to the Board after actual

performance data has been completed on the monitoring wells, and possibly revise the standard requirements.

Thomas Stetson, Stetson Engineers, gave a presentation expressing concerns that proper monitoring of the wells will not be conducted. He also indicated that he does not support the Corrective Action Plan and recommended the plan be modified by adding more shallow wells (he submitted a list of new shallow wells to be submitted as an exhibit). He stated that the January 8, 1999 letter from the San Gabriel Valley Municipal Water District was not in the board meeting agenda. He also suggested an Advisory Committee be created.

Royall Brown, Past Director, Upper San Gabriel Valley Municipal Water District and currently associated with the Hacienda Heights Improvement Association (HHIA), gave a presentation expressing his concerns regarding groundwater contamination in the basin. He indicated his support of a pump-and-treat alternative with new wells installed outside the landfill, and does not agree with the deletion of Well M1680 from the monitoring program. He asked that more monitoring be required and a study be made to determine how contaminants got into ground water. He expressed concerns that staff had not responded to HHIA's letter.

Jeff Yann, Environmental Water Quality Committee, Hacienda Heights Improvement Association (HHIA), gave a presentation asking staff to prepare a direct and comprehensive response to concerns raised by HHIA. He asked that the Board review all the facts prior to making a decision on this matter, and require additional monitoring of wells.

Blythe Ponek-Bacharowski responded to the issues raised by the public and board. After discussion of the board a motion was made to adopt the requirements amending it to include that staff report back to the Board after two quarters of monitoring reports are submitted.

MOTION: By Ms. Diamond, seconded by Mr. Keston, and approved on a voice vote.

The Board paused for a break at 10:05 a.m. and reconvened at 10:15 a.m.

11. Consideration of a Municipal Storm Water Permit for the City of Long Beach and Consideration of a Proposed Settlement Agreement.

11.1 Consideration of a Municipal Storm Water Permit

11.2 Consideration of a Proposed Settlement Agreement

Ronji Harris read the opening statement, Chairman Nahai opened the public hearing and gave the oath to those testifying before the Board. Dennis Dickerson gave a staff presentation on the history of the permit and appeal filed by the city, and outlined the steps that have been taken to develop the permit being considered for adoption by the Board today. He indicated that the permit represents a very credible and

comprehensive permit that clearly places the City of Long Beach among the forefront of cities addressing this challenging problem.

Mr. Dickerson stated that a provision of adopting the permit is that the city immediately move to dismiss the pending litigation once two events occur. First, that the Stormwater Management Plan is approved by the Executive Officer pursuant to the existing Los Angeles County permit (this has been done). Second, that the Regional Board and U.S. EPA adopt the permit.

Mr. Dickerson asked that the Board adopt the permit including the technical revisions submitted in the change sheet. He also asked that the Board waive its normal 3-minute rule to allow additional time to ensure the comments received are well documented for the record.

Xavier Swamikannu gave a staff presentation describing the elements of the permit, including findings, water limitations, discharge prohibitions and discharger requirements. He outlined the revisions made to the permit based on public comments received and asked the Board to adopt the permit including the change sheet.

Raymond Holland, Director of Public Works, City of Long Beach, gave a presentation thanking staff and the Board for working so diligently with the City over the past several months in creating the proposed permit. He gave a special thanks to Dennis Dickerson and Xavier Swamikannu and staff for their dedication and technical expertise in working with all parties involved to produce a permit that exceeds all legal requirements of the Clean Water Act. He expressed the City's commitment to the permitting requirements and gave an overview of the many environmental programs already implemented within the City.

He indicated that many cities have expressed support of the tentative permit and asked the Board to adopt it as recommended by staff.

The following persons also testified before the Board:

Gary Moore, City of Los Angeles

Barbara Munoz, City of Long Beach

Eileen Ansara, Council Member, City of Diamond Bar

Terri Grant, Los Angeles County Department Public Works (behalf of Desi Alvarez)

Ron Wilkniss, Western States Petroleum Association

Ted Morton, Policy Director, American Oceans Campaign

Ray Tahir, Representative of various cities

Eugene Bromley, Stormwater Coordinator, USEPA

Mark Gold, Heal the Bay

Steve Fleishli, Santa Monica BayKeeper

Alex Halperin, Natural Resources Defense Council



Staff and the City of Long Beach responded to public comments and questions of the Board and the Chairman closed the public hearing.

11.1: After discussion of the Board, a motion was made to (a) adopt the permit as recommended by staff including the changes noted in the change sheet, and additional changes that were noted during the course of the hearing; and (b) include the staff files on this matter as part of the record, as requested by Jorge Leon, Legal Counsel.

MOTION: By Ms. Lyon, seconded by Mr. Coe, and approved on a voice vote.

11.2: After discussion of the Board, a motion was made to adopt the proposed settlement agreement as recommended by staff with the following language modification:

Section IIA, first line: replace "at the earliest opportunity" with "by July 12, 1999".

MOTION: By Ms. Lyon, seconded by Mr. Coe, and approved on a voice vote.

14. Status Report and Briefing on NPDES Workplans.

This item was not heard.

15. Status Report on the Nonpoint Source Implementation and Water Quality Planning Grants Program.

This item was not heard.

16. Status Report on Prospective Purchaser Agreements (PPA's).

This item was not heard.

17. Board Member Communications.

There were no Board Member communications.

18. Report of Cost Benefit Task Committee.

This item was not heard.

19. Closed Session.

This item was heard during a closed lunch session.

20. Adjournment of Current Meeting.

June 30, 1999

Regular Board Meeting

The meeting adjourned at 3:30 p.m. The next regularly scheduled meeting is July 8, 1999 at the U.S. Court of Appeals Building, 125 S. Grand Avenue, Pasadena.

Minutes adopted at the _____ Regular Board Meeting as amended.

Written and submitted by: _____

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